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SENSITIVE
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E.O. 12958: N/A

TAGS: PTER PHUM ASEC JO
SUBJECT: JORDAN: STATE SECURITY COURT ISSUES DEATH SENTENCE
FOR FOLEY MURDER SUSPECT

REF: A. 08 AMMAN 1459
1B. 06 AMMAN 1827
1C. 04 AMMAN 6212

¶1. (SBU) On July 14, the Jordanian press reported that Muammar Ahmad Yusuf Al-Jaghbir had been sentenced to death by hanging for his role in the 2002 murder of Laurence Foley, a USAID employee at Embassy Amman. This ruling represents the third legal decision that has been issued in this case.

-- While hiding in Iraq in 2004, Al-Jaghbir, Abu Masab Al-Zarqawi, and six others were sentenced in absentia by a Jordanian court and death sentences were handed down for all individuals. Two of the other men convicted with Al-Jaghbir were executed by Jordanian authorities in March 2006.

-- When Al-Jaghbir was captured in Iraq by Coalition forces and turned over to Jordanian authorities, a new trial was ordered per Jordanian legal procedures for suspects who return to Jordanian territory. In 2007, the State Security Court (SSC) amended the charges and instead of being tried for terrorist acts, Al-Jaghbir was charged with "plotting subversive acts which lead to the death of an individual." The SCC sentenced him to ten years in prison.

-- In May 2008, Jordan's Supreme Court (the Court of Cessation) overturned the ten-year sentence on procedural grounds and ordered that a new trial be held by the SCC. On July 13, 2009, the SCC found Al-Jaghbir guilty of "facilitating contacts between Al-Qaeda and the Amman terrorist cell responsible for Foley's death" and also the original 2005 charge of "carrying out terrorist activity aimed at killing an individual."

¶2. (SBU) Comment: Although Al-Jaghbir has also been tried separately by Jordanian authorities for the 2003 bombing of Jordan's embassy in Iraq and the resulting death of 14 people, there has been extensive media coverage about the connection between the Foley murder and this death sentence. Jordan has implemented an unofficial moratorium on executions and Human Rights Watch confirms that the last two hangings in Jordan in 2006 were for Al-Jaghbir's fellow suspects in the Foley murder case. There may be protests from domestic and international human rights groups about this new ruling. End Comment.
Beecroft